

On the same page and line (page 10 line 1), between "at" and "closely" please insert —all—.

On page 34 at line 10, please change "Key" to read instead: —Central—.

On page 68, please delete the passage starting in line 19 and continuing through the end of line 33, and reading "In this form a door . . . many important preferences."

In lieu of that deleted passage, please insert: —In addition to these four forms of the invention, three others are detailed in the text—.

#### REMARKS

Applicants thank Examiner Julian Huffman for having pointed out the error on page 10, at lines 1 through 3. That error has now been corrected. The Applicants also wish to express their appreciation to the Examiner for having read through this application with such care.

#### Objections to the drawings

Applicants respectfully ask to defer correction of the drawings and related text, pending resolution of the independent-claim rejections.

#### Objections to the specification

At page 10, line 27, making the change proposed in the Official Action would introduce an error (within the style conventions used for this application), because the subject of

the sentence is "data" — the plural of "datum" — and the verb "suggest" is in fact plural as required. Analogously at page 30, the subject "embodiments" is plural and requires the plural verb "employ".

At page 34, line 10, the sentence says that minimizing the use of certain components is key to achieving a colorimeter which is light and compact enough to avoid a separate carriage. The sentence accordingly is clear and correct, but as the Examiner finds it objectionable a change has been made.

At page 35, line 1, the subject "elaboration" is singular and hence calls for the singular verb "appears". At page 39, line 27, the term "also" would be ambiguous since it would be uncertain whether that word modified the phrase before it or the phrase after it. The word "too" is preferable because it resolves the ambiguity, being directional. More specifically, "too" means the same as "also" — but in that meaning modifies only the phrase before, never the phrase after.

At page 49, lines 7 and 8 refer to reflectors that are (1) conventionally formed and mounted; and are (2) discrete mirrors. The sentence thus is clear.

#### Section 112 rejections

In the Official Action it is said that there is insufficient antecedent basis for the phrase "the quality of images". This point appears to be based upon an idea that every time the article "the" appears in a claim, there must necessarily be an explicitly stated antecedent.

It is the nature of the English language, however, that some words do not require such an explicit antecedent. In particular, in the case at issue, every image has a "quality";

it is like the "magnitude" of a number, and the "length" of a line segment, and the "saturation" and "hue" of a color.

It would of course be possible to recite first "a system for forming desired images having a quality". This kind of bizarre wording is sometimes seen in patent claims, and makes them virtually unintelligible to people skilled in the field of the invention. The same is true of changing to an alternative phrase such as "a quality of images".

What is important is to make the claim language comprehensible to people who are skilled in the field. Declaring that the image has a quality, or referring to "a quality of images", instead makes the claims inaccessible to everyone who is not in a small in-group clique of people who are in on some odd customs. This is not a requirement of the patent law; and, as the Examiner is aware — in view of the infamous *Festo* decision — amendments that might previously have passed as "harmless" can no longer be justified.

### Section 103 rejections

In the Official Action it is further said that many of the claims are obvious over Beauchamp, in view of Vincent '059 or Bauer — and in various combinations with other references. It appears, however, that Beauchamp issued five months after the present application was filed, and therefore is believed not to be a proper Section 103 reference in this case.

In addition none of the cited references is seen to contain any teaching which suggests benefits to be obtained by incorporating both a colorimeter and a line sensor in a single printer. The art thus fails to show any appreciation for problems solved by the invention, and accordingly fails to suggest the conceptual thrust of the invention.

Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully request the Examiner's favorable reconsideration and allowance of all the claims now standing in this case.

It is respectfully requested that, should there appear any further obstacle to allowance of the claims herein, the Examiner telephone the undersigned attorney to try to resolve the obstacle.

Respectfully submitted,



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